

WWR Ref. No. 06562552

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS (Eastern Division)**

ADVANCE PAYROLL FUNDING, LTD.,)	CASE NO. 08 C 1072
)	
Plaintiff,)	
)	
vs.)	JUDGE MILTON I. SHADUR
)	MAG. JUDGE ARLANDER KEYS
DURACO PRODUCTS, INC., etc.)	
)	
Defendant.)	

**PLAINTIFF'S NOTICE OF DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(1)(i)**

Now comes Plaintiff Advance Payroll Funding, Ltd., and hereby dismisses the above-captioned matter without prejudice and subject to the attached Stipulated Judgment Entry and Settlement Agreement (Exhibit 1) being entered into between Defendant Duraco Products, Inc. dba Duraco Plastics. The Court shall retain jurisdiction over the aforementioned Settlement Agreement as part of the Settlement Agreement and Stipulated Judgment Entry that has been executed, and the Court may file this upon default or non-payment of the Settlement Agreement.

Respectfully submitted,

WELTMAN, WEINBERG & REIS CO., L.P.A.

/s/ J. Charles Ruiz-Bueno
J. Charles Ruiz-Bueno (Ohio Bar No. 0046806)
Pro Hac Vice/Lead Counsel for Plaintiff
Michael F. Schmitz (Ohio Bar No. 0064842)
Pro Hac Vice/Co-Counsel for Plaintiff
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WELTMAN, WEINBERG & REIS CO., L.P.A.

/s/ Robert T. Kuehl
Robert T. Kuehl (Ill. Bar No. 6271281)
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Plaintiff,)	
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DURACO PRODUCTS, INC., etc.)	
)	
Defendant.)	

**PROOF OF SERVICE OF
PLAINTIFF'S NOTICE OF DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(1)(i)**

I, J. Charles Ruiz-Bueno, certify as follows under penalty of perjury this 21st day of May, 2008.

1. I filed *PLAINTIFF'S NOTICE OF DISMISSAL PURSUANT TO FED. R. CIV. P. 41(a)(1)(i)*, by filing it with the clerk of court by electronic means.

2. I further caused copies of *PLAINTIFF'S NOTICE OF DISMISSAL PURSUANT TO FED. R. CIV. P. 41(a)(1)(i)*, to be served by regular mail, pursuant to Loc.R. 5.3(a)(2) and Fed.R.Civ.P. 5(b)(2)(C), to DURACO PRODUCTS, INC., dba DURACO PLASTICS, c/o agent C T Corporation System, at the agent's last known address of 208 S. LaSalle Street, Suite 814, Chicago, IL 60604.

3. I further caused copies of *PLAINTIFF'S NOTICE OF DISMISSAL PURSUANT TO FED. R. CIV. P. 41(a)(1)(i)*, to be served by regular mail, pursuant to Loc.R. 5.3(a)(2) and Fed.R.Civ.P. 5(b)(2)(C), to DURACO PRODUCTS, INC., dba DURACO PLASTICS, at its last known address of 1109 East Lake Street, Streamwood, IL 60107-4395.

Respectfully submitted,

WELTMAN, WEINBERG & REIS CO., L.P.A.

/s/ J. Charles Ruiz-Bueno
J. Charles Ruiz-Bueno (Ohio Bar No. 0046806)
Pro Hac Vice/Lead Counsel for Plaintiff
Michael F. Schmitz (Ohio Bar No. 0064842)
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